

BY: CITY UTILITIES COMMITTEE

**AN ORDINANCE TO ABANDON WEST LINDMONT COURT, NE, EAST LINDMONT COURT, NE, AND LINDMONT CIRCLE, NE, AND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT "A" LYING AND BEING IN LAND LOT 49 OF THE 17<sup>TH</sup> DISTRICT, FULTON COUNTY, GEORGIA AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta has received a formal request from the abutting property owner to abandon West Lindmont Court, NE, East Lindmont Court, NE, and Lindmont Circle, NE to accommodate implementation of effective measures for security and improvement in management and operation of the property; and

**WHEREAS**, the City has determined that the referenced property is no longer useful or necessary for the public's use and convenience; and

**WHEREAS**, the abandoned right-of-way will become part of the abutting owner's private property and will be their responsibility to maintain, operate, and provide all services and utilities; and

**WHEREAS**, the request to abandon said streets has been reviewed by the proper City agencies and by all public utilities

**WHEREAS**, the abutting property owner's have agreed to acquire the Northmoor Streets from the City of Atlanta for the appraised fair market value; and

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, as follows:**

**SECTION 1.** That the portion of West Lindmont Court, N.E. from Lindbergh Drive south to the end of said right-of-way, and being more specifically described in the attached Exhibit "A" lying and being in Land Lot 49 of the 17<sup>th</sup> District, Fulton County, Georgia, same is hereby declared no longer useful or necessary for the public's use and convenience.

**SECTION 2.** That the portion of Lindmont Circle, N.E., from Lindbergh Drive south to end of said right-of-way, including the circular portion of Lindmont Circle, and being more specifically described in the attached Exhibit "A" lying and being in Land Lot 49 of the 17<sup>th</sup> District, Fulton County, Georgia, the same is hereby declared no longer useful or necessary for the public's use and convenience.

**SECTION 3.** That the portion of East Lindmont Court, N.E., from Lindbergh Drive south to end of said right-of-way, and being more specifically described in the attached Exhibit "A" lying and being in Land Lot 49 of the 17<sup>th</sup> District, Fulton County, Georgia, the same is hereby declared no longer useful or necessary for the public's use and convenience.

**SECTION 4.** That the City's intent is hereby given to abandon said streets.

**SECTION 5.** That the abutting property owner's have agreed to pay the fair market value of the abandoned street as determined by the appraisal of said street.

**SECTION 6.** That any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time that said utilities are abandoned, removed, or relocated, at which time said easements shall expire.

**SECTION 7.** That no security measures shall be installed on the property such that will impede or obstruct in any way emergency access to the property.

**SECTION 8.** That the Director of Purchasing and Real Estate be and is hereby authorized to appraise said streets to determine their fair market land value.

**SECTION 9.** That all costs associated with the appraisal report shall be charged to and paid from Account Number 1A01524001G55001.

**SECTION 10.** That the Mayor be and is hereby authorized to execute a quitclaim deed to said streets.

**SECTION 11.** That all ordinance and parts of ordinances in conflict herewith be and the same are hereby repealed.

48

